

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TRIUVA Kapitalverwaltungsgesellschaft
mbH,

Plaintiff,

V.

Baker Hughes, Inc. and Baker Hughes
Oilfield Operations, Inc. d/b/a Baker Oil
Tools, Inc.,

Defendants.

CIVIL ACTION NO. 4:15-CV-02744

SECOND JOINT STATUS REPORT

Pursuant to the Court’s June 27, 2016 Order (Dkt. No. 40), TRIUVA Kapitalverwaltungsgesellschaft mbH (“TRIUVA”), Baker Hughes Incorporated and Baker Hughes Oilfield Operations, Inc. (collectively, “Baker Hughes”) file this Second Joint Status Report.

The German arbitration remains on the schedule noted in the parties' initial Joint Status Report of June 14, 2016. The parties in the arbitration have completed their opening written submissions and have exchanged document productions. IVG Caverns GmbH (now known as Storag Etzel GmbH) submitted its second submission and its expert reports on August 3, 2016. Baker Hughes (Deutschland) GmbH's written submissions will be completed on or about October 28, 2016. A pre-hearing conference is scheduled for December 1, 2016, and the arbitration hearing will take place from January 16-23, 2017. Deadlines for post-hearing briefing, which is customary but not mandatory, and statements of cost have not been set.

On December 15, 2015, the Court ordered a discretionary stay in this matter in favor of a pending German arbitration between distinct but related parties on the grounds that “the arbitration may illuminate the claims between these parties.” (Dkt. No. 36 (Order) at 1.) TRIUVA contends that the defendant in the arbitration—non-party Baker Hughes (Deutschland)—has refused to produce documents that TRIUVA contends are basic and critical to a determination of the issues in this action. In particular, TRIUVA contends Baker Hughes (Deutschland) has refused to provide any documents in the possession of the defendant in this action, Baker Hughes Incorporated, including documents that TRIUVA has identified as key documents in this case, notwithstanding document requests in the arbitration seeking their production. At the time of Baker Hughes’ original stay motion in this case, discovery in the German arbitration had not yet begun. Discovery in the arbitration is now complete. Baker Hughes contends that TRIUVA’s assertions in this paragraph are neither accurate nor relevant to this status report.

Dated: August 29, 2016

Respectfully submitted,

KIRKLAND & ELLIS LLP

/s/ Mark Holscher
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